

Serial No. 10/765,829

Attorney Docket No. 26DT-001-DIV

REMARKS

None of the Office Actions issued in this application have checked any of the boxes in part 12 of the Office Action Summary. However, the applicants filed a certified copy of the priority document on 29 January 2004, as indicated on the filing transmittal for this application. The PAIR system shows that the priority document was received.

The applicants have previously brought this problem to the examiner's attention. Nevertheless, the applicants again respectfully request the examiner to formally acknowledge the claim for priority under section 119 and indicate that the certified copy of the priority document has been received.

Claims 10-12, 18, 19 and 21-25 are pending. Claim 18 is amended to incorporate claim 20, and claim 20 has been canceled. Claims 10-12 have been withdrawn. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The drawings were objected to on the basis that the drawings do not show "the vehicle body member disposed in a periphery of a fueling inlet." The phrase which is the cause of the objection has been deleted from the claims. However, reference is made to FIG. 32, "an illustration of the periphery of the fueling opening in the lid panel in the rear of a vehicle", and FIG. 33, which illustrates for example the attachment component 541. It is respectfully submitted ~~that the~~ drawings show every feature of the invention specified in the claims. Withdrawal of the objection is therefore respectfully requested.

Claims 18-25 were rejected under 35 USC 112, first paragraph, because there allegedly is no disclosure of "the vehicle body member is an attaching member that is disposed in a periphery of a fueling inlet" recited in claim 18. Claim 18 has been amended for better phrasing, along the

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lines suggested in the office action. It is respectfully submitted that the amended wording is adequately supported in the drawings and specification. Reconsideration and withdrawal of the objection and rejection is respectfully requested.

Claims 18-25 were rejected under 35 USC 112, second paragraph, as being indefinite. The applicants respectfully request that this rejection be withdrawn for the following reasons. In claim 18, the limitation "exposed to the outside" has been revised to avoid the antecedent basis problem. Moreover, claim 18 (incorporating claim 20) has been amended to more clearly set forth the structure of the attaching member. In addition, the preambles of the dependent claims are amended for consistency with the independent claim. In view of the above amendment, the examiner is respectfully requested to reconsider and withdraw the rejection.

The office action states that claims 18-25 appear to avoid the art of record.

The applicants respectfully request entry of the present amendment for the following reasons. First, the amendments to the claims are necessary to address claim informalities. These amendments address the Examiner's issues with respect to the claimed invention, and most were unable to be introduced earlier since additional rejections were included in the Final Office Action.

Second, the amendments to the claims do not raise new issues requiring further search since the Examiner indicates that the claims should be allowable.

Third, the applicants respectfully submit that no new matter has been introduced. In addition, the amendments made to the claims are minor changes performed in response to the Examiner's comments.

Finally, the amendments to the claims place the application in better form for appeal by materially simplifying the issues, i.e., correcting formality requirements.

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Accordingly, the applicants respectfully request entry of the present Amendment.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,



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